



# GENERAL TERMS & CONDITIONS FOR GRANTS TO INDIVIDUALS

For FY 2002 Awards

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# GENERAL TERMS & CONDITIONS FOR GRANTS TO INDIVIDUALS

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*The following terms & conditions provide the administrative requirements for grants from the National Endowment for the Arts (Endowment) to individuals. Unless otherwise stated in the grant award letter, these grants are awarded on a nonmatching basis.*

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## Acceptance of an Endowment Award

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### 1. Recipient Responsibilities

The "General Terms & Conditions for Grants to Individuals" applies to all grants awarded by the Endowment to individuals. Grant recipients assume legal, financial, administrative, and programmatic responsibility for administering awards in accordance with this document, including responsibility for complying with any provisions included in the grant award letter. While the Endowment may periodically provide recipients with reminder notices regarding grant requirements such as final reports, failure to receive such notice does not relieve you from your responsibility to comply with all applicable grant requirements. Failure to comply with these requirements may result in suspension or termination of the award and recovery of grant funds.

### 2. Compliance with Terms and Conditions

Submission of the "Payment Request Form for Grants to Individuals" constitutes agreement to comply with and expend funds consistent with all the terms and conditions of the grant.

### 3. Income Tax

The Internal Revenue Service (IRS) considers Endowment grants to individuals taxable income. The Endowment does not withhold social security, state or Federal income taxes from your award. Specific questions regarding the taxability of your grant should be directed to the IRS, the appropriate state or local officials, or your tax advisor. Web site information can be found at <http://www.irs.gov/formspubs/page/0,,id%3D11856,00.html>

### 4. Acknowledgment of Endowment Support and Disclaimer

You must acknowledge the Endowment's support in all materials regarding this grant. We encourage the display, in a prominent manner, of our logo in association with the acknowledgment. Copies of our logo are found on our Web site.

## Acceptance of an Endowment Award (cont.)

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### 5. Labor Assurances

You must certify that you will comply with the labor standards set out in "29 CFR Part 505 - Labor Standards on Projects or Productions Assisted by Grants from the National Endowment for the Arts and the National Endowment for the Humanities." You provide this assurance by signing and returning to the Grants & Contracts Office the *Payment Request Form for Grants to Individuals* (available online), which includes the "Assurances as to Labor Standards" on the reverse side. A copy of 29 CFR Part 505 may be obtained through the Endowment's Web site at <http://www.arts.gov/manageaward/Legals.html>.

### 6. Lobbying

You are prohibited from conducting general political lobbying, as defined in relevant statutes, within a Federally-supported grant project. In addition, you are prohibited from using Federal funds for lobbying specifically to obtain grants. Note the following regarding lobbying activities:

#### **18 U.S.C Sec. 1913 Lobbying with Appropriated Moneys.**

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation."

### 7. Foreign Travel Requests

All travel outside the United States, its territories, and Canada that was not identified in your application must be specifically approved in writing by the Grants & Contracts Office before travel is undertaken. Additionally, any foreign air travel (inclusive of persons or property) that is paid in whole or in part with Endowment funds must be performed on a U.S. air carrier or a foreign air carrier under an air transport agreement with the United States when these services are available. U.S. air carrier service is considered available even though a comparable or different kind of service can be provided at less cost by a foreign carrier and/or foreign air carrier service is preferred by, or is more convenient for, the traveler. U.S. air carrier service is considered to be **unavailable** only under the following conditions:

- a. when the traveler's origin or destination airport is a gateway airport abroad (i.e., the airport from which the traveler last embarks en route to the United States or at which the individual first arrives when traveling from the United States) and the use of a U.S. air carrier would extend the time in travel status by at least 24 hours more than travel by a foreign air carrier;

## Acceptance of an Endowment Award (cont.)

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- b. when a traveler while en route must transfer to another flight and the use of a U.S. air carrier would extend his or her time in travel status by at least six hours more than travel by a foreign air carrier;
- c. when travel time on a scheduled flight by a foreign air carrier is three hours or less and service by a U.S. air carrier would involve twice as much travel time; or
- d. when travel is between two points outside the U.S. and the use of a foreign air carrier would eliminate two or more aircraft changes en route.

If you discover that service on a U.S. carrier or a foreign air carrier under an air transport agreement with the United States is not available, you must request an exception in writing from the Endowment. All requests should be sent to the Grants & Contracts Office for approval.

### 8. Equipment and Products

Consistent with 41 U.S.C. 10a-10c, "Buy American Act," if you purchase equipment and products under this grant, you are encouraged, whenever possible, to purchase American-made equipment and products.

## How To Obtain Your Award Funds

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### 9. Payment Request Form for Grants to Individuals

Use this form to

- (1) request payment, and
- (2) submit the progress report, as appropriate.

By signing this form you indicate agreement to comply with and expend funds consistent with all the terms and conditions of the grant.

The payment request form and instructions for completing it are available online at <http://www.arts.gov/manageaward/index.html>. You may FAX or mail your request.

NOTE: The delivery of first-class mail to the NEA has been delayed since October 2001. Delays are expected to continue for the foreseeable future. If you are unable to FAX your payment request form, please consider using an alternative delivery service.

Remember to keep a copy for your records. Do not FAX *and* mail.

## If You Need to Make Changes

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### 10. Award Amendments

You should notify the Grants & Contracts Office as soon as any changes, such as the ones identified below, are believed necessary. Requests submitted to other Endowment offices may result in a delayed response. After consultation with the appropriate Endowment staff, the Grants & Contracts Office will notify you in writing of our response. Requests are considered on a case-by-case basis. **Approval is not guaranteed.**

All requests must include:

- detailed justification, and
  - your 10-digit grant number
- a. **Changing the time period of your award:** You are responsible for ensuring that all grant activities and the use of Endowment funds take place within the period of support stated in the award (or an amendment letter, if applicable).
- You must request a time amendment if you cannot meet this term of your award. This request should be submitted, in writing, to the Grants & Contracts Office at least 30 days before the period of support end date of your award.
- b. **Final Report Filing Extensions:** You must submit all final reporting requirements within 90 days of the period of support end date stated in your award (or as amended). If you are unable to do so, you must request an extension for the final reports due date. The Grants & Contracts Office should receive this request at least 30 days before the reports are due.
- c. **Translation changes: Translation fellowship recipients** may not change their translation project without Endowment approval. Therefore, it is imperative that you follow the procedures outlined above.

## Reporting & Recordkeeping

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### 11. Reporting Requirements

Your grant award package includes a blue document entitled "Reporting Requirements" that provides guidance on the reporting requirements relevant to your grant. We may request additional information as necessary.

- a. **Progress Report.** A progress report is generally required from all Endowment grant recipients. Specific instructions for submitting your progress report are described in the "Reporting Requirements" document and payment request instructions.

## Reporting & Recordkeeping (cont.)

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- b. **Special Reporting Requirements.** Additional information may be required before grant funds can be released (e.g., signed contracts, copyright release, etc.) or at other times during the period of support. Specific instructions will be included in your grant award package as applicable.
- c. **Final Reports.** You are required to submit final reports not later than 90 days after the period of support end date.
  - (1) Before completing your final report, carefully review your "Reporting Requirements" document to determine the narrative information you must provide and whether any work product(s) must also be submitted.
  - (2) Complete and submit two copies of the *Final Report Form for Grants to Individuals* and any required work product(s). This form is available online at <http://www.arts.gov/manageaward/index.html> and can be completed on screen.
  - (3) Submit all final report materials to:

Grants & Contracts Office  
Final Reports Section/Room 618  
National Endowment for the Arts  
Nancy Hanks Center  
1100 Pennsylvania Avenue, N.W.  
Washington, DC 20506-0001  
FAX 202/682-5610 or 5609 or 5027

Failure to submit the required final reports for any grant(s) will make you ineligible to receive subsequent funding for five years following the final report due date of the grant(s) or until the delinquent final reports are submitted, **whichever occurs first**. Acceptability of final reports may also affect your eligibility. In addition, failure to submit required final reports within 210 days from the grant end date would result in the Endowment withdrawing any undisbursed funds remaining on the grant(s) with the delinquent reports.

NOTE: The delivery of first-class mail to the NEA has been delayed since October 2001. Delays are expected to continue for the foreseeable future. If you are unable to FAX your payment request form, please consider using an alternative delivery service.

Remember to keep a copy for your records. Do not FAX *and* mail.

## 12. Record Retention

You are required to maintain a record of all financial and other documents pertinent to your grant for a period of three years from the date you submit your *Final Report Form for Grants to Individuals*.

## Copyright and Cataloging Information

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### 13. Copyright

You may arrange to copyright any materials you develop from the work undertaken during the period of support without prior approval from us. For procedural information, contact: U.S. Copyright Office, Library of Congress, 101 Independence Avenue SE, Washington, DC, 20559-6000 (202/707-3000) (<http://lcweb.loc.gov/copyright/>).

Unless otherwise specified in the award, we are not entitled to receive royalties from work supported or made possible by a grant or cooperative agreement; however, we retain a royalty-free right to use all or a portion of your final report material for federal purposes. This includes the use of final report work products to document the results of our grant programs, including placement on our Web site.

### 14. Library of Congress Cataloging in Publication Data

We strongly recommend that any publication that might result from this award be cataloged by the Cataloging in Publication Program of the Library of Congress before it is prepared for final printing. This method of cataloging, which is available only to publishers of titles likely to be widely acquired by U.S. libraries, enables libraries to acquire and process books quickly. Publishers ineligible for this program may be eligible for the Library's Preassigned Card Number Program. Entering these titles in a national bibliographic database leads to greater dissemination of publications, thereby benefiting the recipient. For procedural information, contact: Library of Congress, 101 Independence Ave., SE, Washington, DC 20540 (202/707-5000) (<http://lcweb.loc.gov/loc/infopub/>).

## Questions?

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### 15. Endowment Staff

If you have any questions about your grant, please contact the Grants & Contracts Office at 202/682-5403 or [grants@arts.endow.gov](mailto:grants@arts.endow.gov) concerning administrative or technical requirements. Contact the Endowment's Literature office concerning programmatic requirements at 202/682-5787/5771.

For individuals who are deaf or hard-of-hearing, call 202/682-5496 Voice/T.T. (Text-Telephone). Individuals who do not use conventional print may contact the Endowment's Office for AccessAbility at 202/682-5532 for help in acquiring an audio recording of these *General Terms*.

Individuals with limited English proficiency or recipients serving such individuals should contact the Office of General Counsel at 202/682-5418 or [ogc@arts.endow.gov](mailto:ogc@arts.endow.gov). You can also find information at <http://www.lep.gov>.